

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 11, 2007

DIVISION ONE

B188404 Northeast 315 Fruit Company et al. (Not for Publication)
 v.
 Roll International Corporation et al.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J. (Opinion)

DIVISION TWO

B192039 Rodriguez, et al. (Not for Publication)
 .vs
 Los Angeles Unified School District

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B191600 Hassanally (Not for Publication)

v.

JRAM Enterprises, Inc., et al.

The judgment is affirmed. The sellers shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Chavez, J.

B192278 Epstein (Not for Publication)

v.

BDO Seidman, LLP

The judgment of dismissal is affirmed. BDO shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.

Chavez, J.

B184869 Petrulis (Not for Publication)

v.

Prudential Insurance Company of America, et al.

The judgment is reversed. Prudential is entitled to judgment in its favor with respect to breach of contract, breach of the implied covenant of good faith and Probate Code section 859. Petrulis's negligence cause of action is remanded for a new trial. Prudential is entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.

Chavez, J.

DIVISION THREE

B191169 People (Not for Publication)

v.

William Little Anderson

The appeal is dismissed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B184046 Evard, et al. (Certified for Partial Publication)

v.

Southern California Edison

Heywood Outdoor Advertising, Inc., et al.

Summary judgment is reversed as to defendants Heywood Outdoor Advertising, Inc. and Western Empire Industries. Costs on appeal are awarded to plaintiffs Daniel Evard and Christina Evard and defendant and cross-complainant Southern California Edison.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

July 11, 2007 (Continued)

DIVISION THREE (continued)

B192371 Hall (Not for Publication)

v.

Time Warner, Inc., et al.

The order is reversed with directions to the trial court to rule on the parties' evidentiary objections, decide whether Hall has demonstrated a probability of prevailing on each count alleged in her complaint, and enter a new order ruling on the special motion to strike. The defendants are entitled to recover costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B193250 People (Not for Publication)

v.

Antony A.

The matter is remanded to the juvenile court to determine under Welfare and Institutions Code 702 whether the vandalism offense is a felony or misdemeanor and compute, if necessary, the maximum term of confinement for purposes of the petition sustained on July 27, 2006. Additionally, the condition of probation is modified to provide that appellant is not to associate with anyone known to be disapproved of by his parents, guardian or probation officer. IN all other respects, the order of wardship is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
 Manella, J.

July 11, 2007 (Continued)

DIVISION FIVE

B190065 Delmar Arnaud (Not for Publication)

v.

Steven Machat

The order denying the petition to compel arbitration is affirmed. The appeal from the order determining certain claims were discharged is dismissed. Respondent to recover costs.

Turner, P.J.

We concur: Mosk, J.

Kriegler, J.

B197013 Los Angeles County, D.C.S. (Not for Publication)

v.

Ruben S. and Heather L.

In re Manuel S.

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.

Mosk, J.

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B189088 Littlejohn v. Grundy

B190630 Katsura v. City of San Buenaventura

B193758 Flores v. Rusnak

July 11, 2007 (Continued)

DIVISION SIX (continued)

Each of the following (continued):

B195467 Child Welfare Services v. Fredrick B. and Melissa B.

B195721 Child Welfare Services v. Leticia Y.

B197075 Dept. of Social Services v. Heidi W.

Argument waived, cause submitted.

Each of the following:

B190375 Tidwell v. EMC Mortgage Corp.

B192354 Bennett-Cooper v. Cooper

B193603 Siefe v. Shepherd

Argument continued to August, 2007.

B189537 Heritage Oak Partners v. First American Title Ins. Co.

Argument continued to September, 2007.

B196279 Human Services Agency
 v.
 Eric R.

Merits:

Argued by Oliver G. Hess, Assistant County Counsel, for respondent.

Argument previously waived by appellant. Cause submitted.

DIVISION SIX (continued)

B197302 Francisco G.
 v.
 Ventura County Superior Court
 (Human Services Agency, r.p.i.)

Extraordinary:
Petitioner waived presentation of argument. Oliver G. Hess, Assistant
County Counsel, appeared for real party in interest. Cause submitted.

B180130 Gabel
 v.
 Fidelity National Foreclosure Solutions

Merits:
Argued by Daniel Joseph Goulding for respondent / cross-appellant Fidelity
National Foreclosure Solutions. Argument previously waived by appellant.
Cause submitted.

B192738 Gonzalez
 v.
 Gonzalez

Merits:
Argued by George L. Wittenburg for appellant and by John F. Hodges for
respondent. Cause submitted.

B195199 Umbrasas
 v.
 Amgen, Inc.

Merits:
Argued by Scott H. Dunham for appellant and by Allen Willis Graves for
respondent. Cause submitted.

Gilbert, P.J. left the bench.

DIVISION SIX (continued)

B192931 Gerber
 v.
 Colegrove

Merits:

Argued by David Albert Gerber for appellant and by Herb Fox for respondent. Cause submitted.

Yegan, J. left the bench.

Gilbert, P.J. resumed the bench.

B191447 Retamco Operating, Inc.
 v.
 Paradigm Oil, Inc.

Merits:

Argued by David E.R. Woolley for appellants and by Marcus J. Kocmur for respondent. Cause submitted.

Court Adjourned.

DIVISION SEVEN

B193620 Goldstein (Not for Publication)
 v.
 Grayson

The order of the trial court granting the petition for conservatorship is affirmed. Conservator Goldstein is to recover his costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

July 11, 2007 (Continued)

DIVISION EIGHT

B189498 People
 v.
 Cumbess,

Filed order denying petition for rehearing.